IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6328 OF 2003

Mrs Meenakumari Rajesh Jain ...Petitioner
Vs.
Rajesh Mithalal Jain ...Respondent

Ms Gauri Godse for the Petitioner.
Ms Teja Katdare i/by Ms Alpa Javeri for the Respondent.

CORAM : S. B. MHASE, J.
DATE : MARCH 23, 2006.

P.C.:

1. Heard counsel for both the sides. This Writ Petition is directed as against the order passed by the District Judge, Raigad on 08th January, 2003 in Civil Misc. Application No.631 of 2000. By the said order Application filed by the Petitioner-wife for condonation of delay in preferring the First Appeal as against the decree passed in Hindu Marriage Petition No.45 of 1999 is rejected.

2. Now the parties have settled the matter amicably and submitted the consent terms to this court. However, they cannot be recorded here in the Writ Petition. The parties have consented to condon the delay, therefore, by the consent of both the sides the impugned order date 08th January, 2003 referred to above is hereby set aside and delay stands condoned.

The District Court is hereby directed to number the Appeal filed against the Hindu Marriage Petition No.45 of 1999 by the Petitioner.

3. The Registrar (Judicial) is hereby directed to transmit the consent terms submitted in this Court which are marked 'X' for identification to the District Court before whom said Appeal is pending. The District Judge is also further directed to consider those consent terms and pass an appropriate decree after hearing the parties. Both the counsel state that the parties will appear before the District Judge on 18th April, 2006.

4. Writ Petition is disposed of in above terms.

JUDGE